

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
JUN - 8 2022
CLERK, U.S. DISTRICT COURT
By _____
CRIMINAL NO. 4:22 CR 1170

UNITED STATES OF AMERICA §
§
VS. §
§
KENLEONE JOE NYANDORO §

**REPORT OF ACTION AND RECOMMENDATION ON PLEA
BEFORE THE UNITED STATES MAGISTRATE JUDGE**

This Report of Action on Plea is submitted to the court pursuant to 28 U.S.C. § 636(b)(3). This case has been referred by the United States district judge to the undersigned for the taking of a guilty plea. The parties have consented to appear before a United States magistrate judge for these purposes.

The defendant appeared with counsel before the undersigned United States magistrate judge who addressed the defendant personally in open court and informed the defendant of, and determined that the defendant understood, the admonitions contained in Rule 11 of the Federal Rules of Criminal Procedure.

The defendant pled guilty. However, the defendant has been accepted into the Sentencing To Equip People for Success Program (STEPS) pursuant to the terms set forth in the STEPS program Participation Agreement on file in this case. The government has agreed to dismiss the indictment against the defendant upon the defendant's successful completion of the STEPS program. The court's acceptance of the plea agreement is an agreement by the court to honor that dismissal upon the defendant's successful completion. If the defendant does not successfully complete, is terminated from, or voluntarily withdraws from the STEPS program, the defendant will not be allowed to withdraw the defendant's guilty plea, and the defendant's case will proceed to sentencing.

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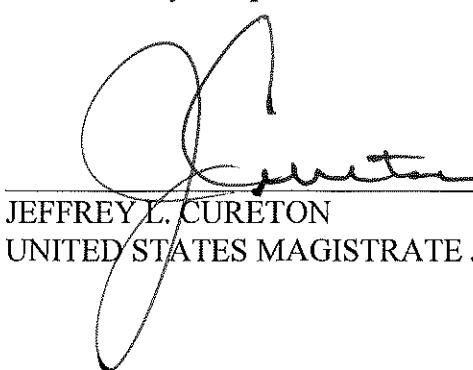
The undersigned magistrate judge finds the following:

1. The defendant, upon advice of counsel, has consented orally and in writing to enter this guilty plea before a magistrate judge subject to final approval and sentencing by the presiding district judge;
2. The defendant fully understands the nature of the charges and penalties;
3. The defendant understands all constitutional and statutory rights and wishes to waive these rights, including the right to a trial by jury and the right to appear before a United States district judge;
4. The defendant's plea is made freely and voluntarily;
5. The defendant is competent to enter this plea of guilty;
6. There is a factual basis for this plea; and
7. The ends of justice are served by acceptance of the defendant's plea of guilty **subject to the STEPS program.**

Although I have conducted these proceedings, accepted the defendant's plea of guilty, and pronounced the defendant guilty in open court, upon the defendant's consent and the referral from the United States district judge, that judge has the power to review my actions in this proceeding and possesses final decision making authority. Thus, if the defendant has any objections to the findings or any other action of the undersigned he should make those known to the United States district judge within fourteen days of today.

I recommend that defendant's plea of guilty be accepted **subject to the STEPS program** and that the defendant be adjudged guilty by the United States district judge and that sentence be imposed **if the STEPS program is not successfully completed.**

Signed June 8, 2022


JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE